

IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM  
MAGISTRATE CRIMINAL MINUTES

SENTENCING

**FILED**

DISTRICT COURT OF GUAM

MAY 18 2006 

MARY L.M. MORAN  
CLERK OF COURT

CASE NO. MG-05-00009

DATE: 05/18/2006

HON. JOAQUIN V. E. MANIBUSAN, JR., Magistrate Judge, Presiding  
Court Recorder and Courtroom Deputy: Virginia T. Kilgore  
Hearing Electronically Recorded: 2:11:30 - 2:37:48

Law Clerk: Judith Hattori

CSO: L. Ogo

\*\*\*\*\* APPEARANCES \*\*\*\*\*

DEFT: DONALD C. ALDAN

(X) PRESENT (X) CUSTODY ( ) BOND ( ) P.R.

ATTY : JAMES MCHUGH

(X) PRESENT ( ) RETAINED (X) FPD ( ) CJA APPOINTED

U.S. ATTORNEY: JUSTIN OLIVER

AGENT:

U.S. PROBATION: JUDY OCAMPO

U.S. MARSHAL: V. ROMAN / C. MARQUEZ

(X) COURT STATES THE APPROPRIATE BASE OFFENSE LEVELS \_\_\_\_\_

Base offense level:

Total offense level:

Criminal History Category: III

NO OBJECTIONS BY THE GOVERNMENT AND DEFENSE

(X) ATTORNEY FOR DEFENDANT ADDRESSES THE COURT

Defense counsel requested the Court to consider defendant's participation and activities while incarcerated as factors in sentencing the defendant.

(X) DEFENDANT ADDRESSES THE COURT AND APOLOGIZES

(X) GOVERNMENT ADDRESSES THE COURT AND MAKES ITS RECOMMENDATION: Government recommended 30 days confinement, a fine of \$250.00 and a term of 1 year supervised release and an order that defendant not enter Andersen Air Force Base property. Government moved to dismiss Count II - GRANTED.

( ) LETTER(S) OF RECOMMENDATION RECEIVED BY THE COURT

NOTES/OTHER MATTERS:

The Court imposed a sentence of 2 months imprisonment, 1 year supervised release with conditions (see judgment), \$25.00 Special Assessment Fee and 250 hours community service. All fines are waived. The Court stated the justification for the sentenced imposed and advised the defendant of his appeal rights.